

# Key Elements of Senate Bill 1X (Chapter 3 of 1999)

## Public Schools Accountability Act of 1999

Legislative Findings and Intent		Article 1
Key Elements		Education Code Section
<p>I. <u>Public Schools Accountability Act of 1999</u>  This chapter shall be known and may be cited as the Public Schools Accountability Act of 1999.</p>		52050
<p>II. <u>Findings and intent</u>  The Legislature finds and declares all of the following:</p> <ol style="list-style-type: none"> <li>(a) The <b>purpose of the California public school system</b> is to provide for the <b>academic development</b> of each pupil and prepare each pupil, to the extent of his or her ability, to become a <b>lifelong learner</b>, equipped to live and succeed within the economic and societal complexities of the 21st century.</li> <li>(b) It is in the <b>interest of the people and the future</b> of this state <b>to ensure that each child in California receives a high quality education</b> consistent with all statewide content and performance standards, as adopted by the State Board of Education, and with a meaningful assessment system and reporting program requirements.</li> <li>(c) Recent assessments indicate that many <b>pupils in California</b> are <b>not now, generally, progressing</b> at a satisfactory rate to achieve a high quality education.</li> <li>(d) <b>To remedy this</b>, the state is in need of <b>an immediate and comprehensive accountability system to hold</b> each of the state's public <b>schools accountable</b> for the <b>academic progress and achievement</b> of its pupils within the resources available to schools.</li> <li>(e) Any promising and effective accountability system must be <b>based upon a constructive and collaborative process</b> that seeks to <b>include stakeholders</b> in the accountability process.</li> <li>(f) Any promising and effective accountability system requires the <b>active involvement</b> of parents and guardians, pupils, educators, community leaders, school boards, and schoolsite teams.</li> <li>(g) The statewide school accountability system <b>must encourage the active participation</b> of parents and guardians, pupils, educators, and the local community in improving pupil achievement.</li> <li>(h) The statewide accountability system <b>must be easily accessible and understandable</b> to parents and others.</li> <li>(i) The statewide accountability system <b>must include rewards</b> that recognize high achieving schools as well as <b>interventions and, ultimately, sanctions</b> for schools that are continuously low performing.</li> <li>(j) It is also the intent of the Legislature that the comprehensive and effective school accountability system <b>primarily focus on increasing academic achievement</b>.</li> <li>(k) To achieve better pupil performance, it is the intent of the Legislature that any <b>school accountability system do all of the following</b>: <ol style="list-style-type: none"> <li>(1) Encourage teacher preparation that <b>allows teachers to develop the ability to inspire</b> pupils to become lifelong learners.</li> <li>(2) Encourage teacher preparation and consistent <b>ongoing professional development that serves to develop competency in content and pedagogy</b> and that allows teachers to effectively involve themselves in promoting school accountability.</li> <li>(3) Encourage the <b>involvement of the community</b> and its stakeholders in the accountability system.</li> <li>(4) Encourage <b>local community</b> involvement in <b>providing support for education and identifying causes of pupil failure and designing programs</b> for remediation.</li> <li>(5) Approach accountability with an <b>attitude of collaboration, encouragement, and correction</b>.</li> <li>(6) <b>Utilize the state infrastructure</b> to support schools, school districts, and county offices of education in their efforts to improve pupil achievement and progress.</li> <li>(7) Encourage each <b>local community to support and sustain high-quality educational programs</b> and to build the capacity of educators and schools to succeed in educating every pupil.</li> <li>(8) Encourage <b>active involvement of parents and guardians</b> in the development and implementation of school accountability systems.</li> </ol> </li> </ol>		52050.5 (a) through (k)

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<b>Academic Performance Index (API)</b>		<i>Article 2</i>
<b>Key Elements</b>		<b>Education Code Section</b>
<p>I. <u>Development of the API</u>  By <b>July 1, 1999</b>, the Superintendent of Public Instruction, with approval of the State Board of Education, shall <b>develop an Academic Performance Index</b>, to be used to <b>measure performance of schools</b>, especially the academic performance of pupils, and <b>demonstrate comparable improvement</b> in academic achievement <b>by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools</b>.</p> <ul style="list-style-type: none"> <li>A numerically significant ethnic or socioeconomically disadvantaged subgroup is a subgroup that constitutes at least 15 percent of a school's total pupil population and consists of at least 30 pupils.</li> </ul>		<b>52052 (a)</b>
<p>II. <u>Indicators to be included in the API</u>  <i>-Currently reported data</i>  The index shall consist of a variety of indicators currently reported to the State Department of Education including, but not limited to:</p> <ul style="list-style-type: none"> <li><b>The results of the achievement test</b> administered pursuant to Section 60640 (<b>STAR Program</b>),</li> <li><b>Attendance rates</b> for pupils and certificated school personnel for elementary schools, middle schools, and secondary schools, and</li> <li><b>Graduation rates</b> for pupils in secondary schools.</li> </ul> <p><i>-Achievement tests: Incorporation of future indicators</i>  Pupil scores from the following tests, when available and <b>when</b> found to be <b>valid and reliable</b> for this purpose, shall be incorporated into the API:</p> <ol style="list-style-type: none"> <li>The <b>assessment of the applied academic skills matrix test</b> development pursuant to Section 60604.</li> <li>The <b>nationally normed test as augmented</b> pursuant to paragraph (1) of subdivision (f) of Section 60644 (augmented STAR).</li> <li>The <b>high school exit examination</b>.</li> </ol> <p><i>-Achievement tests: Mobility exclusion, 60 percent value, disaggregation</i></p> <ul style="list-style-type: none"> <li><b>Only the test scores of pupils enrolled in a school district for one year or more may be included in the test results reported in the API.</b></li> <li>Results of the achievement test and other tests specified in 52052 (b) shall constitute <b>at least 60 percent of the value of the index</b>.</li> <li>The pupil data collected for the API that comes from the achievement test administered pursuant to Sections 60640 (STAR) and 60644 (augmented STAR) and the high school exit examination, when fully implemented, shall be <b>disaggregated by all of the following</b>: <ul style="list-style-type: none"> <li><b>special education status</b></li> <li><b>English language learners</b></li> <li><b>socioeconomic status</b></li> <li><b>gender</b></li> <li><b>ethnic group</b></li> </ul> </li> </ul> <p><i>-High school graduation rates and attendance rates: Report of availability and accuracy</i>  Before including high school graduation rates and attendance rates in the index, the Superintendent of Public Instruction shall determine the extent to which the data are currently reported to the state and the accuracy of the data. If the Superintendent of Public Instruction determines that accurate data for these indicators are not available, the Superintendent of Public Instruction shall report to the Governor and the Legislature by September 1, 1999, and recommend necessary action to implement an accurate reporting system.</p>		<p><b>52052 (a)</b></p> <p><b>52052 (b)</b></p> <p><b>52052 (a)</b></p>

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Academic Performance Index (API) (continued)		Article 2
Key Elements	Education Code Section	
III. <u>Development of targets</u> <i>-Annual percentage growth targets</i> Based on the API, the Superintendent of Public Instruction shall develop, and the State Board of Education shall adopt, expected <b>annual percentage growth targets</b> for all schools <b>based on</b> the their <b>API baseline score as measured in July 1999</b> . <ul style="list-style-type: none"><li>Schools are expected to meet these growth targets through effective allocation of available resources.</li><li>The <b>minimum percentage growth target shall be 5 percent annually</b>. However, the State Board of Education may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement.</li></ul> <i>-Statewide performance targets</i> <b>Upon adoption of state performance standards</b> by the State Board of Education, the Superintendent of Public Instruction shall recommend, and the State Board of Education shall adopt, a <b>statewide API performance target</b> that includes consideration of performance standards and represents the proficiency level required to meet the state performance target. <ul style="list-style-type: none"><li>When fully developed, schools may <b>either meet the state target or meet their growth targets</b> to be eligible <b>for the Governor's Performance Award Program</b> as set forth in Section 52057.</li></ul>	52052 (c)   <	

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<div> <div>Immediate Intervention/ Underperforming Schools Program (II/USP)</div> <div>Article 3</div> </div>	
Key Elements	Education Code Section
<p>I. <u>Schools invited to participate for 1999-00</u>  <i>-Based on STAR results</i>  By <b>August 15, 1999</b>, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall <b>invite schools that scored below the 50th percentile</b> on the achievement tests administered pursuant to Section 60640 (STAR) <b>both in the spring of 1998 and in the spring of 1999</b> to participate in the Immediate Intervention/Underperforming Schools Program (II/USP). A school invited to participate may take any action not otherwise prohibited under state or federal law and that would not require reimbursement by the Commission on State Mandates to improve pupil performance.</p>	52053 (a)
<p>II. <u>Criteria for statewide school selection</u>  <i>-Number and distribution of schools in program</i>  The <b>total number of schools participating in the program shall be 430</b>. Unless 52053 (d) applies, schools that apply will be <b>selected based on the order in which they apply within ranks of deciles, not to exceed 86 per decile</b>, within the following grade level categories:  (1) No more than 301 elementary schools.  (2) No more than 78 middle schools.  (3) No more than 52 high schools.</p> <p>The 86 schools selected within each decile range pursuant to 52053 (b) shall <b>proportionately represent elementary, middle, and high schools</b> and shall provide statewide <b>proportionate geographic representation of urban and rural schools</b>.</p> <p><i>-Process if too few schools apply</i>  <b>If fewer than the number of schools in any grade level category apply</b>, schools that scored below the 50th percentile in those grade level categories that did not apply for the program shall <b>randomly be selected</b> by the Superintendent of Public Instruction, with the approval of the State Board of Education, <b>to participate</b> based on their proportional representation in the state until the number of schools in each grade level category set forth in 52053 (b) is achieved.</p> <p><i>-Process if too many schools apply</i>  <b>If more than the requisite number of schools apply for any grade level category</b>, the Superintendent of Public Instruction shall <b>select an array of schools that reflect a broad range of academic performance</b> of schools that scored below the 50th percentile, until the number of schools in each grade level category set forth in 52053 (b) is achieved.</p> <p><i>-Date schools are notified of participation</i>  <b>Schools selected</b> for participation in the program shall be <b>notified</b> by the Superintendent of Public Instruction <b>no later than September 1 of each year</b>.</p>	<p>52053 (b)</p> <p>52053 (c)</p> <p>52053 (d)</p> <p>52053 (e)</p> <p>52053 (h)</p>
<p>III. <u>Types of grants and funding to be awarded for 1999-00</u>  <i>-State General Fund grants</i>  A school selected to participate on or before September 1, 1999 shall be awarded a <b>planning grant</b> from the General Fund in the amount of <b>fifty thousand dollars</b> (\$50,000) pursuant to the requirements of this act.</p> <p><i>-Federal Fund Comprehensive School Reform Demonstration Program (CSRD) grants</i>  A school selected to receive federal funds shall be awarded an <b>implementation grant</b> in an amount of at least <b>fifty thousand dollars</b> (\$50,000) pursuant to Public Law 105-78 (Comprehensive School Reform Demonstration Program).</p> <p>Schools receiving federal funds shall comply with Public Law 105-78 (Comprehensive School Reform Demonstration Program).</p>	<p>52053 (f)</p> <p>52053 (g)</p>

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Immediate Intervention/ Underperforming Schools Program (II/USP) (continued)		Article 3
Key Elements	Education Code Section	
IV. <u>External evaluators to assist participating schools receiving planning grants</u> <i>-Minimum qualifications for evaluators</i> The Superintendent of Public Instruction shall develop, and the State Board of Education shall approve, the minimum <b>qualifications for external evaluators</b> that shall include, but may not be limited to, <b>recent successful professional, managerial or governing board experience in improving school achievement, and the ability to assist the school to systematically align curriculum, instruction, and assessment.</b> The external evaluators shall also have demonstrated experience in <b>working with diverse populations.</b>	<b>52053.5 (a)</b>	
<i>-Establishment of a list of external evaluators</i> With the approval of the State Board of Education, the Superintendent of Public Instruction shall develop and disseminate an application process by which to <b>establish a list of external evaluators</b> that meet the minimum qualifications. The list of approved external evaluators <b>may include private sector experts, institutions of higher education, county offices of education, and educational consortia.</b>		
<i>-Standards and criteria for evaluators to carry out duties</i> The Superintendent of Public Instruction shall develop, and the State Board of Education shall approve, the standards and criteria to be applied by external evaluators in carrying out their duties. The <b>standards and criteria shall include, but are not limited to, the following areas:</b>	<b>52054 (a)</b>	
(1) Governing board policies. (2) Curriculum management. (3) Fiscal management. (4) Parental and community involvement. (5) Personnel management. (6) Facilities management.		
<i>-Requirements of participating school to contract with external evaluator</i> By <b>October 1</b> of the year that the school is selected to participate, the governing board of a school district having jurisdiction over a school selected for participation in the program <b>shall contract with an external evaluator</b> from the list of external evaluators and <b>shall appoint a broad-based schoolsite and community team, consisting of a majority of nonschoolsite personnel.</b>	<b>52054 (a)</b>	
• In a school that has a <b>limited-English-proficient pupil population that constitutes at least 40 percent of the total pupil population,</b> an external evaluator shall have demonstrated experience in working with a limited-English-proficient pupil population. • Not less than <b>20 percent</b> of the members of the team <b>shall be parents or legal guardians</b> of pupils in the school.		
<i>-Duties of the external evaluator: Soliciting parent input</i> By <b>November 15</b> of the year that the school is selected to participate, the selected external evaluator shall <b>solicit input from the parents and legal guardians of the pupils of the school.</b> At a minimum, the evaluator shall do all of the following:	<b>52054 (b)</b>	
(1) <b>Inform the parents and legal guardians, in writing,</b> that the school has been selected to participate in the Immediate Intervention/Underperforming Schools Program due to its below-average performance. (2) <b>Hold a public meeting</b> at the school, in cooperation with the principal, to which all parents and legal guardians of pupils in the school receive a written invitation. The invitation to the meeting may be combined with the written notice required by paragraph (1). (3) <b>Solicit,</b> at the public meeting, the <b>recommendations and opinions</b> of the participating parents and legal guardians of pupils in the school regarding actions that should be taken to improve the performance. These opinions and recommendations shall be considered by the external evaluator and the community team in the development of the action plan pursuant to this section.		

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<div> <div>Immediate Intervention/ Underperforming Schools Program (II/USP) (continued)</div> <div>Article 3</div> </div>	
Key Elements	Education Code Section
<p>IV. <u>External evaluators to assist participating schools receiving planning grants</u> (continued)</p> <p><i>-Duties of the external evaluator: Soliciting parent input</i></p> <p>(4) <b>Notify all parents and legal guardians of pupils in the school of their opportunity to provide written recommendations of actions</b> that should be taken to improve the performance of the school which shall be considered by the external evaluator and the community team in the development of the action plan pursuant to this section. Notice required by this subdivision may be combined with the written notice required by paragraph (1).</p> <p><i>-Duties of the external evaluator: School review</i></p> <p>By <b>December 15</b> of the year that the school is selected to participate, the selected external <b>evaluator shall complete a review</b> of the school that identifies weaknesses that contribute to the school's below average performance and makes recommendations for improvement.</p>	<p><b>52054 (b)</b></p> <p><b>52054 (c)</b></p>
<p>V. <u>Action plan requirements of participating schools receiving planning grants</u></p> <p><i>-Date action plan is to be completed</i></p> <p>By <b>March 15</b> of the year that follows the year the school is selected to participate, the <b>external evaluator and the schoolsite and community team selected</b> pursuant to 52054 (a) <b>shall develop an action plan</b> to improve the academic achievement of the pupils enrolled at the school.</p> <p><i>-Action plan scope</i></p> <p>The <b>action plan shall</b>:</p> <ul style="list-style-type: none"> <li>• <b>Include percentage growth targets</b> at least as high as the annual growth targets adopted by the State Board of Education pursuant to Section 52052.</li> <li>• <b>Include an expenditure plan.</b></li> <li>• Be of a scope that does <b>not require expenditure of funds in excess</b> of those provided pursuant to this article or otherwise available to the school.</li> <li>• Be of a scope that does <b>not require reimbursement by the Commission on State Mandates</b> for its implementation.</li> </ul> <p><i>-Action plan evaluative content</i></p> <p>At a minimum, the <b>action plan shall</b> do all of the following:</p> <ol style="list-style-type: none"> <li>(1) Review and <b>include the school and district conditions identified in the school accountability report card</b> pursuant to Education Code Section 33126.</li> <li>(2) Identify the <b>current barriers</b> at the school and district toward improvements in pupil achievement.</li> <li>(3) Identify schoolwide and districtwide <b>strategies to remove these barriers</b>.</li> <li>(4) Review and include school and school district <b>crime statistics</b>, in accordance with Section 628.5 of the Penal Code.</li> <li>(5) Examine and consider <b>disaggregated data</b> regarding pupil achievement and other indicators to consider whether all groups and types of pupils make adequate <b>progress toward short-term growth targets and long-term performance goals</b>. The disaggregated data to be included and considered by the plan shall, at a minimum, <b>provide information regarding the achievement of English learners, economically disadvantaged pupils, and other groups of pupils, by race, ethnicity, and gender</b>.</li> <li>(6) Set <b>short-term academic objectives</b> pursuant to Section 52052 <b>for a two-year period</b> that will allow the school to make adequate progress toward the growth targets established for each participating school for pupil achievement as measured by all of the following to the extent that the data are available for the school:               <ol style="list-style-type: none"> <li>(A) The <b>achievement test</b> administered pursuant to Section 60640.</li> <li>(B) <b>Graduation rates</b> for grades 7 to 12, inclusive.</li> <li>(C) <b>Attendance rates</b> for pupils and school personnel for elementary, middle, and secondary schools.</li> <li>(D) Any <b>other indicators</b> approved by the State Board of Education.</li> </ol> </li> </ol>	<p><b>52054 (d)</b></p> <p><b>52054 (e)</b></p>

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<b>Immediate Intervention/ Underperforming Schools Program (II/USP)</b> <i>(continued)</i>		Article 3
Key Elements	Education Code Section	
<p>V. <u>Action plan requirements of participating schools receiving planning grants</u> (continued)</p> <p><i>-Action plan focus</i> The school <b>action plan shall focus</b> on</p> <ul style="list-style-type: none"> <li>Improving pupil <b>academic performance</b>,</li> <li>Improving the <b>involvement of parents and guardians</b>,</li> <li>Improving the effective and efficient <b>allocation of resources</b> and management of the school, and</li> <li>Identifying and developing <b>solutions</b> that take into account the underlying causes for low performance by pupils.</li> </ul> <p><b>The team</b>, in the development of the action plan, shall <b>consult with the exclusive representatives of employee organizations</b>, where they exist.</p> <p><i>-Action plan and request for funding: Submission and approval process</i> <b>Upon its completion, the action plan shall be submitted to the governing board of the school district</b> for its approval. After the plan is approved, but <b>no later than April 15</b> of the year that follows the year the school is selected to participate, the <b>plan shall be submitted to the Superintendent of Public Instruction with a request for funding</b> in the form prescribed by the Superintendent of Public Instruction.</p>	<p><b>52054 (f)</b></p> <p><b>52054 (g)</b></p> <p><b>52054 (h)</b></p>	
<p>VI. <u>Implementation grants</u></p> <p><i>-Review and approval of requests for funding</i> <b>Not later than May 15</b> of the year next following the year in which a school is selected for participation, the <b>State Board of Education shall review and approve or disapprove the school's request for funding, based on the recommendation of the Superintendent of Public Instruction.</b> In conjunction with its approval of a request for funding to implement a school's action plan, the State Board of Education <b>may waive all or any part of any provision of this code, or any regulation adopted by the State Board of Education</b>, controlling any of the programs listed in clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 54761 and Section 64000 (state-funded categorical programs) if the waiver does not result in a decrease in the instructional time otherwise required by law or regulation or an increase in state costs and is determined to be consistent with subdivision (a) of Section 46300 (average daily attendance general provisions).</p> <p><i>-Funding levels</i> A school whose application is approved on or before June 15 of the year following the year in which a school is selected for funding shall receive a grant for implementing the program, in <b>each fiscal year that it participates in the program</b>, in an amount <b>up to two hundred dollars (\$200) per pupil</b> enrolled in the school, with a <b>minimum allocation of fifty thousand dollars (\$50,000) per schoolsite</b>. A school that applies after June 15 may receive a grant for implementing the program if funds are appropriated for this purpose in the Budget Act.</p> <p><i>-Funding requirements: Local matching</i> <b>As a condition of receiving this funding</b>, a participating school or the school district having jurisdiction over that school shall <b>match the amount of state funding</b> from any new or existing sources of funding. To help meet this matching requirement, a participating school and the governing board of the school district having jurisdiction over that school shall receive maximum <b>flexibility in the expenditure of any new or existing categorical funds</b> not otherwise prohibited by state or federal law and shall redirect for the purposes of their academic improvement plan new or existing categorical or general purpose funds.</p>	<p><b>52054 (i)</b></p> <p><b>52054.5</b></p>	

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<b>Immediate Intervention/ Underperforming Schools Program (II/USP)</b> <i>(continued)</i>		<i>Article 3</i>
Key Elements	Education Code Section	
<p><b>VII. <u>Progress requirements of participating schools</u></b></p> <p><i>-Failure to meet growth targets in 12 months</i></p> <p>The <b>governing board of a school that fails to meet its annual short-term growth target within 12 months</b> following receipt of funding pursuant to Section 52054.5 <b>shall hold a public hearing</b> at a regularly scheduled meeting to ensure that members of the school community are aware of the lack of progress.</p> <p>The <b>governing board of the school district shall</b>, upon consultation with the external evaluator and the schoolsite and community team selected pursuant to Section 52054, <b>choose from a range of interventions</b> for the school, including</p> <ul style="list-style-type: none"> <li>• reassignment of school personnel to the extent authorized by law,</li> <li>• negotiation of site-specific amendments to collective bargaining agreements, or</li> <li>• other changes deemed appropriate,</li> </ul> <p>in order to continue implementing the action plan approved pursuant to Section 51054, and to make progress toward meeting the school's growth targets.</p> <p><i>-Success in meeting growth targets in 24 months</i></p> <p><b>Following 24 months after receipt of funding</b> pursuant to Section 52054.5, a <b>school that meets or exceeds its growth target each year shall receive a monetary or nonmonetary award</b>, under the Governor's Performance Award Program, as set forth in Section 52057. Funds received from this program shall be used at the school's discretion.</p> <p><i>-Failure to meet performance goals but demonstration of significant growth in 24 months</i></p> <p><b>Following 24 months after receipt of funding</b> pursuant to Section 52054.5, a school that has <b>not met its performance goals, but demonstrates significant growth</b>, as determined by the State Board of Education, <b>shall continue to participate in the program for an additional year and to receive funding</b> in the amount specified in Section 52054.5.</p> <p><i>-Failure to meet performance goals and failure to show significant growth in 24 months</i></p> <p>A school that does <b>not meet its performance goals within 24 months after receipt of funding</b> pursuant to Section 52054.5 <b>and has failed to show significant growth</b>, as determined by the State Board of Education, <b>shall be deemed a low-performing school</b>. Notwithstanding any other provision of law, the <b>Superintendent of Public Instruction shall assume all the legal rights, duties, and powers of the governing board with respect to that school</b>. The Superintendent of Public Instruction, in consultation with the State Board of Education and the governing board of the school district, <b>shall reassign the principal</b> of that school subject to the findings in 52055.5 (e). In addition to reassigning the principal, the Superintendent of Public Instruction, in consultation with the State Board of Education, <b>shall</b>, notwithstanding any other provision of law, <b>do at least one of the following</b>:</p> <ol style="list-style-type: none"> <li>(1) <b>Revise attendance options</b> for pupils to allow them to attend any public school in which space is available. If additional attendance options are made available, nothing in this option shall be construed to require either the sending or receiving school district to incur additional transportation costs.</li> <li>(2) Allow parents to apply directly to the State Board of Education for the establishment of a <b>charter school</b> and allow parents to establish the charter school at the existing schoolsite.</li> <li>(3) Under the supervision of the Superintendent of Public Instruction, <b>assign the management of the school</b> to a college, university, county office of education, or other appropriate educational institution. However, the Superintendent of Public Instruction may not assume the management of the school.</li> <li>(4) <b>Reassign other certificated employees</b> of the school.</li> <li>(5) <b>Renegotiate a new collective bargaining agreement</b> at the expiration of the existing collective bargaining agreement.</li> <li>(6) <b>Reorganize the school</b>.</li> <li>(7) <b>Close the school</b>.</li> </ol>	<p style="text-align: center;"><b>52055</b></p> <p style="text-align: center;"><b>52055.5 (a)</b></p> <p style="text-align: center;"><b>52055.5 (b)</b></p> <p style="text-align: center;"><b>52055.5 (c)</b></p>	

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<b>Immediate Intervention/ Underperforming Schools Program (II/USP)</b> <i>(continued)</i>		Article 3
Key Elements	Education Code Section	
<p>VII. <u>Progress requirements of participating schools</u> (continued)</p> <p><i>-Failure to meet performance goals and failure to show significant growth in 24 months</i></p> <ul style="list-style-type: none"> <li>In addition to the actions listed in subdivision (c), the <b>Superintendent of Public Instruction</b>, in consultation with the State Board of Education, <b>may take any other action considered necessary or desirable against the school district or the school district governing board</b>, including appointment of a new superintendent or suspension of the authority of the governing board with respect to the school or schools identified pursuant to 52055.5 (c).</li> <li><b>Before the Superintendent of Public Instruction may take any action against a principal</b> pursuant to 52055.5 (c), the Superintendent of Public Instruction or a designee of the superintendent <b>shall hold a public hearing</b> on the matter in the school district and make both of the following findings: <ul style="list-style-type: none"> <li>(1) A finding that the principal had the authority to take specific enumerated actions that would have helped the school meet its performance goals.</li> <li>(2) A finding that the principal failed to take specific enumerated actions pursuant to paragraph (1).</li> </ul> </li> <li>An action taken pursuant to 52055.5 (c), (d), or (e) shall <b>not increase local costs or require reimbursement by the Commission on State Mandates</b>.</li> <li>An action taken pursuant to 52055.5 (c), (d), or (e) shall be accompanied by <b>specific findings</b> by the Superintendent of Public Instruction and the State Board of Education that the action is directly related to the identified causes for continued failure by a school to meet its performance goals.</li> </ul>	52055.5 (d)	
	52055.5 (e)	
	52055.5 (f)	
	52055.5 (g)	

# Key Elements of Senate Bill 1X (Chapter 3 of 1999)

## Public Schools Accountability Act of 1999

<b>High Achieving/Improving Schools Program</b> High Achieving/Improving Schools (HA/IS) and Governor's Performance Award Program (GPAP)		Article 4
<b>• High Achieving/Improving Schools (HA/IS)</b>		
Key Elements		Education Code Section
I. <u>Development of API rankings</u> <i>-Rankings based on the API</i> <b>Commencing in June 2000, and every June thereafter</b> , the Superintendent of Public Instruction, with approval of the State Board of Education, shall <b>rank all public schools based on the API</b> established pursuant to Section 52052.  <i>-Decile ranking based on the API</i> The schools shall be <b>ranked in decile categories by grade level</b> of instruction provided <b>and shall include three categories</b> : <ul style="list-style-type: none"> <li>• elementary,</li> <li>• middle, and</li> <li>• high school.</li> </ul> <i>-Two more types of rankings to be calculated by SPI</i> <b>Commencing in June 2001</b> , the rankings shall indicate target annual growth rates of schools: <ul style="list-style-type: none"> <li>• The <b>actual growth rates</b> attained by the schools, and</li> <li>• <b>How growth rates compare schools</b> that have <b>similar characteristics</b>.                For purposes of this section, <b>similar characteristics include, but are not limited to, the following characteristics</b>, insofar as data are available from the State Department of Education:               <ul style="list-style-type: none"> <li>- pupil mobility,</li> <li>- pupil ethnicity,</li> <li>- pupil socioeconomic status,</li> <li>- percentage of teachers who are fully credentialed,</li> <li>- percentage of teachers who hold emergency credentials,</li> <li>- percentage of pupils who are English language learners,</li> <li>- average class size per grade level, and</li> <li>- whether the schools operate multitrack year-round educational programs.</li> </ul> </li> </ul>		52056 (a)
II. <u>Reporting of API rankings</u> <i>-Reporting by SPI</i> The Superintendent of Public Instruction shall <b>annually publish the rankings on the Internet</b> .  <i>-Reporting by school districts</i> <ul style="list-style-type: none"> <li>• <b>Commencing in July 2000</b>, and every July thereafter, <b>all schools shall report their ranking</b>, including a description of the components of the ranking, <b>in their annual school accountability report card</b> pursuant to Sections 33126 and 35256.</li> <li>• <b>Commencing in July 2000</b>, and every July thereafter, the <b>governing board of each school district shall discuss the results of the annual ranking at a regularly scheduled meeting</b>.</li> </ul>		52056 (a)  52056 (b)  52056 (c)
III. <u>Uses of Rankings: Schools failing to meet growth targets may be subject to the II/USP</u> <b>Commencing with the 2000-01 fiscal year</b> , a <b>school that fails to meet annual state growth targets</b> established pursuant to Section 52052 <b>may</b> , as determined by the Superintendent of Public Instruction with the approval of the State Board of Education, <b>be subject to the Immediate Intervention/Underperforming Schools Program</b> pursuant to subdivisions (e) and (f) of Section 52053, and Sections 52053.5, 52054, 52054.5, 52055, and 52055.5.		52056.5

# Key Elements of Senate Bill 1X (Chapter 3 of 1999)

## Public Schools Accountability Act of 1999

<b>High Achieving/Improving Schools Program</b> High Achieving/Improving Schools (HA/IS) and Governor's Performance Award Program (GPAP) <i>(continued)</i>		Article 4
<b>• Governor's Performance Award Program (GPAP)</b>		
Key Elements	Education Code Section	
IV. <u>Uses of Rankings: Governor's Performance Award Program</u> <i>-Purpose of program</i> The State Board of Education shall establish a Governor's Performance Award Program to provide <b>monetary and nonmonetary awards</b> to schools that <b>meet or exceed API performance growth targets</b> established pursuant to Section 52052, and <b>demonstrate comparable improvement</b> in academic achievement <b>by all numerically significant ethnic and socioeconomically disadvantaged subgroups</b> within schools.	52057 (a)	
<i>-Eligibility of schools</i> <b>All schools</b> , including schools participating in the Immediate Intervention/Underperforming Schools Program <b>are eligible to participate</b> in the Governor's Performance Award Program.	52057 (b)	
<i>-Awards will be approved by the State Board of Education</i> The manner and form in which the <b>monetary and nonmonetary awards</b> are given shall be established by the Superintendent of Public Instruction and <b>approved by the State Board of Education</b> .		
<i>-Monetary awards</i> The monetary awards shall be made available on either a per pupil or per school basis, <b>not to exceed one hundred fifty dollars (\$150) per pupil</b> enrolled and subject to funds appropriated in the annual Budget Act. A school that <b>continues to show improvement</b> in successive years is eligible to receive <b>annual bonuses</b> .		
<i>-Nonmonetary awards</i> In addition to or in substitution of monetary awards, the Superintendent of Public Instruction may establish, upon approval by the State Board of Education, <b>nonmonetary awards that may include, but are not limited to,</b> <ul style="list-style-type: none"> <li>• classification as a <b>distinguished school</b>,</li> <li>• listing on a <b>published public school honor roll</b>, and</li> <li>• public <b>commendations by the Governor and the Legislature</b>.</li> </ul>	52057 (c)	
<i>-Requests to waive certain sections of Education Code</i> A school that is eligible to participate in the Governor's Performance Award Program may request the State Board of Education to <b>waive, all or any part of any provision of this code, or any regulation adopted by the State Board of Education</b> , controlling any of the programs listed in clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 54761 and Section 64000 (state-funded categorical programs), and the board may grant the request if the waiver does not result in a decrease in the instructional time otherwise required by law or regulation or an increase in state costs and is determined to be consistent with subdivision (a) of Section 46300 (average daily attendance general provisions).	52057 (d)	
<i>-Maximum flexibility in expenditure of categorical funds</i> A school that <b>demonstrates significant growth</b> shall be granted <b>maximum flexibility in its expenditure of any new or existing categorical funds</b> not otherwise prohibited under state or federal law to enable the school to continue improvement in pupil performance.	52057 (e)	

# Key Elements of Senate Bill 1X (Chapter 3 of 1999)

## Public Schools Accountability Act of 1999

Evaluation Requirements and Appropriations		Article 4
Key Elements	Education Code Section	
<p>I. <u>Evaluation Requirements</u></p> <p><i>-Evaluation reporting by districts with schools participating in II/USP</i></p> <p>By <b>January 31, 2002</b>, each <b>school district with schools participating in the II/USP</b> established pursuant to Section 52053 <b>shall submit to the Superintendent of Public Instruction an evaluation of the impact, costs, and benefits of the program</b> as it relates to the school district and the schools under its jurisdiction that are participating in the program and whether or not the schools met their growth targets, with an analysis of the reasons why the schools have or have not met those growth targets. Costs to develop and submit the evaluation shall be funded with resources provided pursuant to Article 3 (commencing with Section 52053).</p> <p><i>-Evaluation reporting by the SPI</i></p> <p>By January 15, 2000, the Superintendent of Public Instruction shall develop, and the State Board of Education shall approve, the guidelines for a request for proposal for an independent evaluator as described in this subdivision. By September 1, 2000, the Superintendent of Public Instruction shall <b>contract with an independent evaluator to prepare a comprehensive evaluation of the implementation, impact, costs, and benefits of the II/USP and the High Achieving/Improving Schools Program (HA/IS and GPAP)</b>. The preliminary results of the evaluation shall be disseminated to the Legislature, the Governor, and interested parties no later than March 31, 2002, with a <b>final report no later than June 30, 2002</b>. The final report shall include recommendations for necessary or desirable modifications to the programs established pursuant to this chapter.</p> <p><i>-Content specifications for the evaluations</i></p> <p>The <b>evaluations shall consider all of the following</b>:</p> <ol style="list-style-type: none"> <li>(1) <b>Pupil performance data</b>, including, but not limited to, results of assessments used to determine whether or not schools have made significant progress towards meeting their <b>growth targets</b>.</li> <li>(2) <b>Program implementation data</b>, including, but not limited to, <ul style="list-style-type: none"> <li>• a review of startup activities,</li> <li>• community support,</li> <li>• parental participation,</li> <li>• staff development activities associated with implementation of the program,</li> <li>• percentage of fully credentialed teachers,</li> <li>• percentage of teachers who hold emergency credentials,</li> <li>• percentage of teachers assigned outside their subject area of competence,</li> <li>• the accreditation status of the school if appropriate,</li> <li>• average class size per grade level, and</li> <li>• the number of pupils in a multitrack year-round educational program.</li> </ul> </li> <li>(3) (A) <b>Pupil performance data, and its impact on the API</b>, for each of the <b>following subgroups</b>: <ol style="list-style-type: none"> <li>(i) English language learners.</li> <li>(ii) Pupils with exceptional needs.</li> <li>(iii) Pupils that qualify for free or reduced price meals and are enrolled in schools that receive funds under Chapter 1 of the federal Elementary and Secondary Education Act of 1965, as amended by the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-290).</li> </ol> </li> <li>(B) <b>Information concerning individual pupils may not be disclosed</b> in the process of preparing pupil performance data pursuant to this subdivision.</li> </ol> <p><i>-Schedule for biennial evaluations</i></p> <p>The Superintendent of Public Instruction shall recommend and the State Board of Education shall approve a <b>schedule for biennial evaluations of the programs established pursuant to this chapter</b>, subsequent to the evaluation required by this section. The biennial evaluations shall be submitted, with appropriate recommendations, <b>by June 30 of every odd-numbered year, commencing with the year 2003</b>.</p>	<p><b>52058 (a)</b></p> <p><b>52058 (b)</b></p> <p><b>52058 (c)</b></p> <p><b>52058 (d)</b></p>	

**Key Elements of Senate Bill 1X (Chapter 3 of 1999)**  
**Public Schools Accountability Act of 1999**

<b>Evaluation Requirements and Appropriations</b> <i>(continued)</i>		Article 4
Key Elements	Education Code Section	
<p>II. <u>Appropriations</u></p> <p><i>-Amounts and categories of appropriations</i></p> <p>The sum of <b>\$193,200,000</b> is appropriated according to the following schedule:</p> <p>(1) <b>\$63,704,000</b> from the <b>General Fund</b> to the Superintendent of Public Instruction for allocation to <b>school districts</b> for purposes of providing funding for <b>planning and grants for implementing the II/USP</b>.</p> <p>(2) <b>\$32,446,000</b> from the <b>Federal Trust Fund</b> to the Superintendent of Public Instruction for allocation to <b>school districts</b> for purposes of providing funding for <b>planning and grants for implementing the II/USP</b>.</p> <p>(3) <b>\$96,150,000</b> from the <b>General Fund</b> to the Superintendent of Public Instruction for allocation to <b>school districts</b> that meet or exceed performance growth targets established by the board pursuant to the <b>High Achieving/Improving Schools Program (HA/IS and GPAP)</b>. Funds appropriated pursuant to this paragraph that have not been allocated by June 30, 2000, shall be available for allocation and expenditure for purposes of this paragraph in the 2001-02 fiscal year.</p> <p>(4) <b>\$900,000</b> from the <b>General Fund</b> to the <b>Superintendent of Public Instruction</b> to provide <b>support services</b> related to programs established by the Public Schools Accountability Act of 1999.</p>	Sec. 2 (a)	
<p><i>-Appropriations applicable to Proposition 98</i></p> <p>For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by paragraphs (1) and (3) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 1999-2000 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 1999-2000 fiscal year.</p>	Sec. 2 (b)	
<p><i>-Mandated Costs</i></p> <p>Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed \$1,000,000, reimbursement shall be made from the State Mandates Claims Fund.</p>	Sec. 3	